

**Notice of Allowability**

Application No.

10/600,768

Examiner

Tianjie Chen

Applicant(s)

TOGASHI ET AL.

Art Unit

2652

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 23 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance:

- With regard to independent claims 1 and 7; as the closest reference Fargeix et al (WO 02/17304 A2 with English equivalent US 2003/0147341) discloses an information read/write medium in Fig. 4 having plurality of recording layers including: a reflective layer 25 and 6 ([0054], lines 9-10; [0057], lines 4-5; and [0009], lines 1-2), a plurality of dielectric layer 6 and 22, which is equivalent to the heat dissipating layer as recited in this Application since both are made of same material ZnS/SiO<sub>2</sub>, an intermediate layer 11, the layers being deposited recording layers for serving transmit the light beam information to be recorded on and reproduced from another recording layer, wherein the reflective layer is translucent to the light beam; **but fails to show** that the heat dissipating layer has a thermal conductivity higher than that of the than intermediate layer as well as a refractive index higher than or equal to that of the intermediate layer and less than or equal to a refractive index of 3, and the heat dissipating layer has a thickness (d) which satisfies a relation given by the following expression:

$$\{(2\lambda / 50n) + (N\lambda / 2n)\} < D < \{(15\lambda / 50n) + (N\lambda / 2n)\}$$

Where n is the refractive index of the heat dissipating layer and  $\lambda$  is a wavelength of the light beam, and N is an integer.

- Applicant asserts that the information read/write medium configured as such efficiently dissipates the heat generated upon information recording, and ensures an appropriate recording property as well as an optical transmittance which allows a sufficient amount of light to be transmitted to record and reproduce information on another recording layer. Furthermore, the heat

dissipating layer is formed a thickness  $d$  which satisfies the aforementioned condition. This allows light beam to light beam to pass through the reflective layer with an increased optical transmittance and the transmitted light beam to be used to properly record information on and reproduce information from another recording layer (Specification, pp. 5-6).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is (703) 305-7499. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Chen Tianjie*  
TIANJIE CHEN  
PRIMARY EXAMINER